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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ULTRATECH, INC.,
Plaintiff,

No. C 03-03235 CRB

ORDER

v.
TAMARACK SCIENTIFIC CO.,
Defendant.

Now pending before the Court are the parties' motions for summary judgment regarding defendant Tamarack's invalidity affirmative defenses. The hearing on Friday, May 6, 2005 is VACATED. The parties should be prepared, however, to attend oral argument on Friday, May 13, 2005 if necessary. The Court will advise the parties by Wednesday, May 11, 2005 if there will be oral argument on the 13th and, if so, what questions the Court would like addressed at the hearing.

IT IS SO ORDERED.

Dated: May 4, 2005

/s/
CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE

United States District Court

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For the Northern District of California